



PATENT
ATTORNEY DOCKET NO.: DIVER1200-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1800/2003

Applicant: Jay M. Short Art Unit: 1652
Application No.: 09/753,752 Examiner: Delia M. Ramirez
Filed: January 2, 2001 Conf. No.: 1890
Title: SCREENING METHODS FOR ENZYMES AND ENZYME KITS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for Petitioner, DIVERSA CORPORATION, with its place of business at 4955 Directors Place, San Diego, California 92121, represents that Petitioner is the Assignee of 100 percent interest in Application Serial No. 09/753,752, filed January 2, 2001, entitled SCREENING METHODS FOR ENZYMES AND ENZYME KITS as evidenced by an Assignment recorded on July 9, 2001 in the United States Patent and Trademark Office on Reel 011965, Frame 0001. The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

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CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, September 18, 2003, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Aldon Griffis
(Name of Person Mailing Paper)

Aldon Griffis
(Signature)

September 18, 2003
(Date)

Applicant: Jay M. Short
Application No.: 09/753,752
Filed: January 2, 2001
Page 2

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter of the above-identified Application Serial No. 09/753,752, filed January 2, 2001, that would extend beyond the expiration date of U. S. Patent No. 6,168,919. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 09/753,752 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to U. S. Patent No. 6,168,919, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter of the above-identified Application Serial No. 09/753,752, filed January 2, 2001, that would extend beyond the expiration date of U. S. Patent No. 6,280,926. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 09/753,752 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to U. S. Patent No. 6,280,926, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter of the above-identified Application Serial No. 09/753,752, filed January 2, 2001, that would extend beyond the expiration date of U. S. Patent No. 5,958,672. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 09/753,752 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to U. S. Patent No. 5,958,672, this Agreement to run with any patent

Applicant: Jay M. Short
Application No.: 09/753,752
Filed: January 2, 2001
Page 3

granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter of the above-identified Application Serial No. 09/753,752, filed January 2, 2001, that would extend beyond the expiration date of U.S. Patent Application Serial No. 09/421,629. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 09/753,752 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to any patent granted on U. S. Patent Application Serial No. 09/421,629, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter the above-identified Application Serial No. 09/753,752, filed January 2, 2001, that would extend beyond the expiration date of any patent that may be granted on the subject matter of U.S. Application Serial No. 09/861,267. Petitioner hereby agrees that any patent so granted on the above-identified application No. Serial 09/753,752 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to any patent that may be granted on U.S. Application Serial No. 09/861,267, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter the above-identified Application Serial No. 09/753,752, filed January 2, 2001, that would extend beyond the expiration date of any patent that may be granted on the subject matter of U.S.

Applicant: Jay M. Short
Application No.: 09/753,752
Filed: January 2, 2001
Page 4

Application Serial No. 09/875,412. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 09/753,752 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to any patent that may be granted on U.S. Application Serial No. 09/875,412, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter the above-identified Application Serial No. 09/753,752, filed January 2, 2001, that would extend beyond the expiration date of any patent that may be granted on the subject matter of U.S. Application Serial No. 09/467,740. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 09/753,752 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to any patent that may be granted on U.S. Application Serial No. 09/467,740, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

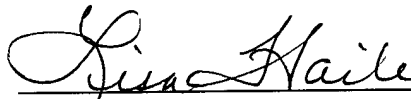
Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter the above-identified Application Serial No. 09/753,752, filed January 2, 2001, that would extend beyond the expiration date of any patent that may be granted on the subject matter of U.S. Application Serial No. 09/713,176. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 09/753,752 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to any patent that may be granted on U.S. Application Serial No. 09/713,176, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Applicant: Jay M. Short
Application No.: 09/753,752
Filed: January 2, 2001
Page 5

Enclosed is Check No. 544464 in the total amount of \$55.00; consisting of the fee for the Terminal Disclaimer. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355.

Respectfully submitted,

Date: September 18, 2003



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